

M. DOUGLAS HAYWOODE

COUNSELOR AT LAW

71 MAPLE STREET

BROOKLYN, NEW YORK 11225-5001

TELEPHONE: (718) 940-8800

TELEPHONE: (718) 282-3900

TELECOPIER: (718) 940-9574

E-MAIL: mdhlaw@haywoode.com

October 23rd, 2008

Herrick
2 Park Avenue
New York, New York 10016
Attn: M. Darren Traub, Esq.

Re: Edmonds v. Seavey

Counsellor:

We Note the scheduling order of Judge Harold Baer Jr. directs the completion of discovery by April, 2009. In order to proceed with the depositions, presently scheduled for November 12th, 2008, my client requires presentation and opportunity to make a full review of the records of all bank accounts maintained by each development, together with the checkbooks and register for each account so that a cursory review can be made of the following periods:

1. January 1st through June 30th, 2008
2. January 1st through December 31st, 2002 – 2007

We are prepared to conduct this review at the offices of Dalton Management. The request is made pursuant to John L. Edmonds right as a Managing General Partner and Partner under §41 of the Partnership Law to inspect all books and records of the partnerships, separate and apart from any discovery request under the FRCP. I would hope this review might be conducted and completed on November 5th, 6th and 7th, prior to the depositions. We ask your cooperation in this regard.

Very truly yours,

M. Douglas Haywoode

Cc.: Wilson Elser
3 Gannett Drive
White Plains, New York 10016
Attn: William J. Kelly, Esq.

The Seavey Organization/Dalton Management
3 Park Avenue
New York, NY 10016